

Cesar Alejandro Martinez BR7255
Name and Prisoner/Booking Number
Delano State Prison
Place of Confinement
Facility D6 Bld, ASU cell 1226L
Mailing Address
Delano CA 93216
City, State, Zip Code

FILED

Jul 06, 2022

CLERK, U.S. DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

(Failure to notify the Court of your change of address may result in dismissal of this action.)

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA**

Cesar Alejandro Martinez
(Full Name of Plaintiff) Plaintiff,

v.

(1) Martin Brandon
(Full Name of Defendant)

(2) Other officers, YCPD (police)

(3) Castillo (guard) Sutter County Jail staff

(4)
Defendant(s).

☐ Check if there are additional Defendants and attach page 1-A listing them.

CASE NO. 2:22-cv-1161-DB (PC)
(To be supplied by the Clerk)

**CIVIL RIGHTS COMPLAINT
BY A PRISONER**

☒ Original Complaint
☐ First Amended Complaint
☐ Second Amended Complaint

A. JURISDICTION

1. This Court has jurisdiction over this action pursuant to:

☒ 28 U.S.C. § 1343(a); 42 U.S.C. § 1983

☐ 28 U.S.C. § 1331; Bivens v. Six Unknown Federal Narcotics Agents, 403 U.S. 388 (1971).

☐ Other: _____

2. Institution/city where violation occurred: Yuba City Ca,

B. DEFENDANTS

1. Name of first Defendant: Martin Brandon. The first Defendant is employed as:
Police officers at Yuba City Police Department
(Position and Title) (Institution)
2. Name of second Defendant: Other officers. The second Defendant is employed as:
Police officers at Yuba City Police Department
(Position and Title) (Institution)
3. Name of third Defendant: Sutter County jail officers. The third Defendant is employed as:
jail officers at Sutter County Jail, CA
(Position and Title) (Institution)
4. Name of fourth Defendant: castillo. The fourth Defendant is employed as:
Sutter County jail guard at Sutter County Jail Yuba City, CA
(Position and Title) (Institution)

If you name more than four Defendants, answer the questions listed above for each additional Defendant on a separate page.

C. PREVIOUS LAWSUITS

1. Have you filed any other lawsuits while you were a prisoner? ☐ Yes ☒ No
2. If yes, how many lawsuits have you filed? _____. Describe the previous lawsuits:
 - a. First prior lawsuit:
 1. Parties: _____ v. _____
 2. Court and case number: _____
 3. Result: (Was the case dismissed? Was it appealed? Is it still pending?) _____
 - b. Second prior lawsuit:
 1. Parties: _____ v. _____
 2. Court and case number: _____
 3. Result: (Was the case dismissed? Was it appealed? Is it still pending?) _____
 - c. Third prior lawsuit:
 1. Parties: _____ v. _____
 2. Court and case number: _____
 3. Result: (Was the case dismissed? Was it appealed? Is it still pending?) _____

If you filed more than three lawsuits, answer the questions listed above for each additional lawsuit on a separate page.

D. CAUSE OF ACTION

CLAIM I

1. State the constitutional or other federal civil right that was violated: Excessive Force by an officers. On body cams, handcuffed, no resistance hands on my head.

2. **Claim I.** Identify the issue involved. Check **only one**. State additional issues in separate claims.

- | | | | |
|-------------------------------------------------------------------|-------------------------------------------|-----------------------------------------------|---------------------------------------|
| <input type="checkbox"/> Basic necessities | <input type="checkbox"/> Mail | <input type="checkbox"/> Access to the court | <input type="checkbox"/> Medical care |
| <input type="checkbox"/> Disciplinary proceedings | <input type="checkbox"/> Property | <input type="checkbox"/> Exercise of religion | <input type="checkbox"/> Retaliation |
| <input checked="" type="checkbox"/> Excessive force by an officer | <input type="checkbox"/> Threat to safety | <input type="checkbox"/> Other: _____ | |

3. **Supporting Facts.** State as briefly as possible the FACTS supporting Claim I. Describe exactly what each Defendant did or did not do that violated your rights. State the facts clearly in your own words without citing legal authority or arguments.

I put my hands on my head then they grabbed my head slammed it to the pavement. Then proceeded to hit me in the back with no reason. I think their racist. I'm Mexican-American. There's no need for that. They've been caught under oath lying second to last case. Sussex County Jail never brought me information with their supposed investigation. An ~~Id~~ officer said he'd look into it. I heard the actual officer in the back crying the "Moffin Brandon". That's not normal procedure. I was arrested because he had a scratch on his hand from assaulting me pretty much. When I asked why I was being arrested. Ridiculous. They need a medium wit to stop this behavior in my hometown. There's body cam footage of when I was arrested. Rodney Kinged pretty much. So's you understand the quality of trouble.

Case # CRM22-0000135

My working man right arm is injured. I'm right handed. Jeopardizes myself working for my life sake.

4. **Injury.** State how you were injured by the actions or inactions of the Defendant(s).

They slammed my head to the pavement. Then beat my spine shoulder breaking my collar bone. Wanting too.

5. **Administrative Remedies:**

- a. Are there any administrative remedies (grievance procedures or administrative appeals) available at your institution? ☐ Yes ☒ No
- b. Did you submit a request for administrative relief on Claim I? ☒ Yes ☐ No
- c. Did you appeal your request for relief on Claim I to the highest level? ☐ Yes ☒ No

d. If you did not submit or appeal a request for administrative relief at any level, briefly explain why you did not. I had a plain clothes officer video record me with my story and didn't receive information from his investigation (Bogus)

CLAIM II

1. State the constitutional or other federal civil right that was violated: They have an
indecency where you get writeups for talking using it to talk!

2. **Claim II.** Identify the issue involved. Check **only one**. State additional issues in separate claims.
- | | | | |
|--------------------------------------------------------|-------------------------------------------|---------------------------------------------------------------------|---------------------------------------|
| <input type="checkbox"/> Basic necessities | <input type="checkbox"/> Mail | <input type="checkbox"/> Access to the court | <input type="checkbox"/> Medical care |
| <input type="checkbox"/> Disciplinary proceedings | <input type="checkbox"/> Property | <input type="checkbox"/> Exercise of religion | <input type="checkbox"/> Retaliation |
| <input type="checkbox"/> Excessive force by an officer | <input type="checkbox"/> Threat to safety | <input checked="" type="checkbox"/> Other: <u>Freedom of Speech</u> | |

3. **Supporting Facts.** State as briefly as possible the FACTS supporting Claim II. Describe exactly what **each Defendant** did or did not do that violated your rights. State the facts clearly in your own words without citing legal authority or arguments.

They give everyone threats of writups for speaking to themselves
thru the intercom. An two way radio. Very rude sadistic.
Talking when I talk to make me mad. Writup threats.
Very evil Draconic place. Sutter County jail. I managed
to not get any writups. And gave them grievances as many
as I could. They only allow two in month and then aggravate
you when they know you've made yours. limit. Retaliation is
definitely is the way and had furthance of the grievance process.
I had an officer bring me to Delano making false statements
about me to the prison staff and got it to stop an
Domino type issue here at Delano prison. the grievance system.
Everybody there has gotten writups for using it and I know that's
wrong has no place in our society and should all of them prisoners be
checked for their Unconstitutional writups upon themselves. Awful,
Please help with this this is very bad thing to come out of an
counrty town where I was born. I think it's being ruined intentionally.
~~red~~ ~~the whole of them officers & jail people.~~ In my opinion.
attorney Yuba City CA (YCPD) ~~with~~ Case # CRM 22-0000155.

4. **Injury.** State how you were injured by the actions or inactions of the Defendant(s).

My freedom of speech, limited Grievances, Indangering interrelations with persons there doing interview, Seeing to my grievances of Santa County, C. Not letting me talk and threatening myself with writeups, Emotional Distress

- ## 5. Administrative Remedies.

- a. Are there any administrative remedies (grievance procedures or administrative appeals) available at your institution? ☒ Yes ☐ No
- b. Did you submit a request for administrative relief on Claim II? ☒ Yes ☐ No
- c. Did you appeal your request for relief on Claim II to the highest level? ☒ Yes ☐ No

d. If you did not submit or appeal a request for administrative relief at any level, briefly explain why you did not. They had more issues where I couldn't even talk, too many grievances to look at. Didn't let me and Ingeborg threaten to use fines on

CLAIM III

1. State the constitutional or other federal civil right that was violated: Didn't let me file charges on an white assailant instead punishing myself.

2. **Claim III.** Identify the issue involved. Check **only one**. State additional issues in separate claims.

<input checked="" type="checkbox"/> Basic necessities	<input type="checkbox"/> Mail	<input type="checkbox"/> Access to the court	<input type="checkbox"/> Medical care
<input checked="" type="checkbox"/> Disciplinary proceedings	<input type="checkbox"/> Property	<input type="checkbox"/> Exercise of religion	<input type="checkbox"/> Retaliation
<input type="checkbox"/> Excessive force by an officer	<input checked="" type="checkbox"/> Threat to safety	<input type="checkbox"/> Other: _____	

3. **Supporting Facts.** State as briefly as possible the FACTS supporting Claim III. Describe exactly what each Defendant did or did not do that violated your rights. State the facts clearly in your own words without citing legal authority or arguments.

I was assaulted then I was punished. Wasn't allowed to file charges. Sargent Olson then told me I was the one who assaulted himself like give me a break. Also it would be better for myself if I encountered himself to have some type of report beforehand. In the street I mean. Endangering myself caught on video in "I block". "Castillo" didn't let me file charges initially put me in trouble, messed with my freedom of speech talking when I spoke sadistically. County police guard, Sutter County Jail City CA Not letting me file charges on assault by white racist. Guard "Castillo" covering it up for himself another racist guard there. Discriminated myself. Awful occurrence didn't want this to happen to inmates this doesn't happen in America.

Case # CRM22-0000135

4. **Injury.** State how you were injured by the actions or inactions of the Defendant(s).

Emotional distress. Putting me endanger in the street for not filing charges on an white assaulted. Caught on camera. Told "Castillo" right away. Sutter County Jail

5. **Administrative Remedies.**

- Are there any administrative remedies (grievance procedures or administrative appeals) available at your institution? ☒ Yes ☐ No
- Did you submit a request for administrative relief on Claim III? ☒ Yes ☐ No
- Did you appeal your request for relief on Claim III to the highest level? ☒ Yes ☐ No
- If you did not submit or appeal a request for administrative relief at any level, briefly explain why you did not. _____

If you assert more than three Claims, answer the questions listed above for each additional Claim on a separate page.

E. REQUEST FOR RELIEF

State the relief you are seeking:


I want Head & shoulder spine injury moderate compensation (money). Also for Emotional distress for harassment for themselves to stop pursuing my persicution by police officers hispanic aswell. Sutter county Jail Harassment to take moderate comensation aswell. From unconstitutional behavior putting me in danger. Emotional distress aswell with my freedom of speech on their intercom. Bad precedent furtherance uncapitalist.
\$200000.

I declare under penalty of perjury that the foregoing is true and correct.

Executed on

4.26.22

DATE


SIGNATURE OF PLAINTIFF

(Name and title of paralegal, legal assistant, or other person who helped prepare this complaint)

(Signature of attorney, if any)

(Attorney's address & telephone number)

ADDITIONAL PAGES

All questions must be answered concisely in the proper space on the form. If you need more space you may attach more pages, but you are strongly encouraged to limit your complaint to twenty-five pages. If you attach additional pages, be sure to identify which section of the complaint is being continued and number all pages. Remember, there is no need to attach exhibits to your complaint.